

scenes—the concrete corners of the Salk Institute, a sunset through the Scripps pier, the lights of Durango, Colorado where Darpa often meets. (Liu is a member of Jason, an elite group of scientists that advises the US government on next-generation technologies.) The only thing out of place in the 45-year-old's chemist's office is a three-foot-high perfect replica of Iron Man standing atop his Hulkbuster armored suit. (Megan Molteni, 6/12)

Vox: Suicide Prevention: How Scientists Are Using Artificial Intelligence To Help People At Risk

When horrible news — like the deaths by suicide of chef, author, and TV star Anthony Bourdain and fashion designer Kate Spade, or the 2015 Paris attacks — breaks, crisis counseling services often get deluged with calls from people in despair. Deciding whom to help first can be a life-or-death decision. At the Crisis Text Line, a text messaging-based crisis counseling hotline, these deluges have the potential to overwhelm the human staff. (Brian Resnick, 6/8)

The New York Times: The Wounds Of The Drone Warrior

In the spring of 2006, Christopher Aaron started working 12-hour shifts in a windowless room at the Counterterrorism Airborne Analysis Center in Langley, Va. He sat before a wall of flat-screen monitors that beamed live, classified video feeds from drones hovering in distant war zones. On some days, Aaron discovered, little of interest appeared on the screens, either because a blanket of clouds obscured visibility or because what was visible — goats grazing on an Afghan hillside, for instance — was mundane, even serene. Other times, what unspooled before Aaron's eyes was jarringly intimate: coffins being carried through the streets after drone strikes; a man squatting in a field to defecate after a meal (the excrement generated a heat signature that glowed on infrared); an imam speaking to a group of 15 young boys in the courtyard of his madrasa. If a Hellfire missile killed the target, it occurred to Aaron as he stared at the screen, everything the imam might have told his pupils about America's war with their faith would be confirmed. (6/13)

EDITORIALS AND OPINIONS

17. Different Takes: Supreme Court, American Voters Will Get Their Say On Trump's Hostility To Health Law

Opinion pages focus on the latest efforts to undermine the health law.

The Wall Street Journal: Strike Down ObamaCare, Says Justice Department
Twenty states have filed a lawsuit against the federal government arguing that the

Affordable Care Act is unconstitutional—and this time the federal government agrees. When the Justice Department filed a brief last week taking the states' side, critics furiously insisted that the failure to defend ObamaCare is a threat to the rule of law. Don't be moved by selective outrage. This refusal to defend is actually more restrained than President Obama's. And, as before, the courts will decide the ultimate questions. (Sai Prakash and Neal Devins, 6/13)

The Washington Post: Republicans Are Still Trying To Repeal Obamacare. Here's Why They Are Not Likely To Succeed

Conservatives are still trying to repeal the Affordable Care Act (ACA) — even after the Republican-majority Congress failed to overturn the law in 2017. A coalition of conservative groups intends to release a new plan this summer. The groups will reportedly propose ending the law's expansion of Medicaid (the federal program that helps fund health care for low-income Americans) and convert Medicaid funding into block grants to the states. And just last week the Trump administration's Justice Department argued in a legal filing that key provisions of the law — its protections for persons with preexisting conditions — are unconstitutional. (Eric Patashnik and Jonathan Oberlander, 6/13)

Boston Globe: Trump Gives Democrats A Political Gift On Obamacare

For what appears to be largely ideological reasons, Attorney General Jeff Sessions and the Justice Department have given Democrats a political gift — a reminder that Republicans remain intent on repealing Obamacare and taking health care away from millions of Americans. (Michael Cohen, 6/13)

The Hill: New Jersey's Disastrous Decision To Resurrect ObamaCare's Individual Mandate

New Jersey Gov. Phil Murphy signed legislation on May 30 that will reimpose the mandate all residents enroll in a "qualifying" health insurance plan or else pay a penalty. The national individual mandate penalty was effectively eliminated in December when the Republican-led Congress passed the Tax Cuts and Jobs Act. When the law goes into effect on January 1, 2019, any New Jersey resident without insurance will be required to pay a \$695 penalty or 2.5 percent of his or her household income, whichever is higher. (Justin Haskins and Arianna Wilkerson, 6/13)

18. Perspectives: Heed Warning Signs About Dire Implications For Medicare

Editorial pages focus on the shrinking of funding for Medicare and Social Security.

The Philadelphia Inquirer: Get Ready For The Great Depression If We Don't Fix Social Security, Medicare

According to the Social Security Administration, the Medicare trust fund will run dry in 2026 and Social Security funds in 2034. They will still be supported by payroll taxes, but those taxes will not cover full benefits, and recipients will likely experience severe benefit cuts if the funds aren't replenished. The implications are dire. (6/14)

Des Moines Register: Iowans Should Demand Solvency In Medicare And Social Security

About 600,000 Iowans are enrolled in Medicare health insurance. Almost one in five of us receives monthly Social Security benefits, the only source of income for many seniors. These Iowans should contact their members of Congress and ask them exactly what they are doing to shore up these safety net programs. Because the latest annual report from the Social Security and Medicare trustees is bleak. Social Security's trust funds (one for retirement and one for disability) are shrinking, with tax revenues and interest no longer covering the annual cost of benefits. The trustees estimate depletion by 2034. (6/13)

19. Viewpoints: Lessons Learned From A Mother's Suicide

Opinion writers focus on mental health and other health issues.

The Wall Street Journal: My Mom's Suicide Was Preventable

I didn't know Kate Spade or Anthony Bourdain but saw familiar threads in their suicides, as my mother took her own life at age 51. Spade had spoken to her father the night before and was looking forward to a trip to California. Bourdain was in one of his favorite countries, France, working on his television show. My mother, struggling through her third and failing marriage, had arrived at a plan to get back on her feet, supported by friends and family. (Karl Rove, 6/13)

The New York Times: What Is Sadness, And What Is Depression?

I stood onstage as an audience of over a thousand people applauded and cheered. My hosts placed an award in my hands. I nodded to the crowd, and they all rose to their feet. Hooray for you, the strangers shouted. Hooray! Less than a week later, I sat up in bed in my house in Maine. A voice said: "You're nothing. You're a joke. They'd never have given you that award if they knew the truth." It was hard to argue. After all, who knew me better than the voice inside my head? (Jennifer Finney Boylan, 6/13)

Stat: Current Efforts To Fight Sepsis Aren't Working. We Need A Bolder Approach

If pharmaceutical and biotech companies gave up trying to find better treatments for stroke and Alzheimer's disease, there would be public outrage. Yet that is essentially

what has happened to sepsis, an infection that kills as many Americans each year — about 250,000 — as stroke and Alzheimer's combined — with barely a whimper. If we can strive to fight a new scourge like opioids, we should be able to do the same for a much older killer. Thanks to antibiotics, vaccinations, and public health advances like modern sanitation, it's easy to think that Americans live largely free of the infectious diseases that once took such a toll. That's partially right: We effectively prevent many infectious disease threats. Cholera and typhoid, which once killed one percent of Americans each year, are now virtually unheard of in the U.S. Yet nearly 1.5 million Americans are hospitalized for sepsis each year, and it accounts for 1 in 3 deaths that occur in hospitals. (Derek Angus, 6/14)

Charlotte Observer: A School Shooter Game? We Don't Need Real-Life Horror On Our Kids' Screens, Too

The human race is incredibly self-destructive these days. Last week, the controversial school shooting video game "Active Shooter" scheduled to be released to the market June 6 was pulled due to parental and general public outcry. Just as quickly, though, USA Today reported that the content provider Valve will take a hands-off approach and allow almost everything on its software distribution platform, Steam. The "Active Shooter" game allows the player to act in the role of a school shooter, and keeps score based on the number of children and SWAT officers killed. As a parent and a citizen, I am concerned about the negative influence technology run amok can have on our kids' mental health. (Carolyn McGrath, 6/13)

Miami Herald: Red Flag Gun Laws Will Let Authorities Seize Firearms From People Deemed A Violent Threat. Congress Should Pass Legislation.

It might seem cynical to put the issue of gun safety in the context of election-year politics. But here we are. There are at least two ideas floating around Congress that could make "red flag" laws a reality in all 50 states. These laws allow authorities to temporarily take guns away from a person who has shown a pattern of violence or the threat of violence. In those cases, court-approved restraining orders would let relatives or law enforcement ask a court to bar a dangerous person from having guns. Petitioners could seek an emergency order, then a permanent one. (6/13)

Lexington Herald Leader: Child Abuse Now Official U.S. Border Policy

Anyone with a shred of empathy must be sickened by what our country is doing at the border. Science tells us that childhood trauma causes lifelong physical and emotional harm, even alters human DNA. When U.S. authorities strip children from their immigrant parents and house them in settings that resemble dog kennels, we are inflicting a harsh and lasting punishment on innocents. Families that are refugees from

violence are being separated, while in the past they were first given a chance to make their case for asylum. (6/13)

New England Journal of Medicine: The Consequences Of Gender Discrimination In Medicine

Ongoing media exposés of sexual harassment have catalyzed important public discussions about the way women are treated both in and outside the workplace. Medicine has not been immune to the problems of gender-based harassment and discrimination that have surfaced in other industries, despite efforts in recent decades to increase the field's diversity and inclusiveness. Aside from the obvious moral issues associated with mistreatment of and job discrimination against women physicians, we believe that greater focus is needed on the potential consequences for patients and biomedical science of the loss of talent and worse outcomes that result when women in medicine are slighted, overlooked, or explicitly wronged. (Lisa S. Rotenstein and Anupam B. Jena, 6/13)

The New York Times: When The Bully Is A Doctor

Years ago, when I was a medical student trying my hand at a variety of specialties, I spent two months on the surgery service. The days were rigorous, starting before 5 a.m., when I was expected at the hospital to round on patients who had recently undergone surgery. I then scrubbed in to the first operating room case of the day, at 7 a.m. Depending on the complexity of the procedure, we wouldn't emerge from the O.R. for hours, biologic needs such as going to the bathroom or eating be damned. Another case, more rounding, and I typically surfaced from the hospital at dusk, completely exhausted. (Mikkael A. Sekeres, 6/14)

The New York Times: The Digital Sex Lives Of Young Gay Teenagers

Last summer in Wisconsin, a mother came home to find her 15-year-old son running up the stairs from their basement. He yelled that a man had broken into the house and raped him. A police officer apprehended Eugene Gross, who was 51 years old and H.I.V. positive, in a nearby backyard. Authorities later learned that the teenager had met Mr. Gross on the gay hookup app Grindr and that they had met for sex before. Last month, Mr. Gross was sentenced to 15 years. The victim's father broke down in court, saying, "The man sitting here, he destroyed my life, my kid's life, my family life." It's common for gay, bisexual or questioning minors to go online to meet other gay people. It's normal for these kids to want to explore intimacy. But most online social networks for gay men are geared toward adults and focused on sex. (Jack Turban, 6/13)

Stat: Do We Keep Waiting For The Next Pandemic Or Try To Prevent It?

News of the latest Ebola outbreak in the Democratic Republic of the Congo is an urgent reminder that we need to change the way we fight disease, and we need to do so now.

Over the last few decades, the number of disease outbreaks has more than tripled, culminating in three major epidemics in recent years — Ebola, yellow fever, and Zika. Despite this, governments often respond to outbreaks only once they occur, rather than investing in ways to stop them in the first place. If this continues, there will be a growing risk that we will not only undermine the great progress that has been made in fighting infectious disease, but we could even see a resurgence of highly preventable diseases that were previously in decline. Global trends are steadily altering the global health landscape, making it easier for disease to spread. (Seth Berkley, 6/14)

San Jose Mercury News: Low's Legislation Will Help Reduce Opioid Abuse
We are hopeful that efforts at the state level, such as the legislation authored by Assemblyman Low, will help physicians ensure that patients who truly need opioids are able to obtain them, while identifying the few physicians who persistently overprescribe and the patients who are doctor-shopping or otherwise misusing these powerful drugs. These policies must be based on evidence-based guidelines for opioid prescribing, non-opioid alternatives, compassionate pain medicine, and humane treatment of dependence and addiction. (Karen Sibert, 6/13)

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First Edition

Monday, July 09, 2018

Visit Kaiser Health News for the latest headlines

Today's early morning highlights from the major news organizations.

Kaiser Health News: State Prisons Fail To Offer Cure To 144,000 Inmates With Deadly Hepatitis C

State prisons across the U.S. are failing to treat at least 144,000 inmates who have hepatitis C, a curable but potentially fatal liver disease, according to a recent survey and subsequent interviews of state corrections departments. Many of the 49 states that responded to questions about inmates with hepatitis C cited high drug prices as the reason for denying treatment. The drugs can cost up to \$90,000 for a course of treatment. Nationwide, roughly 97 percent of inmates with hepatitis C are not getting the cure, according to the survey conducted for a master's project at the Toni Stabile Center for Investigative Journalism at Columbia University's Graduate School of Journalism. (Thanthong-Knight, 7/9)

Kaiser Health News: Feel Like The Last Friend Standing? Here's How To Cultivate New Buds As You Age.

Donn Trenner, 91, estimates that two-thirds of his friends are dead. "That's a hard one for me," he said. "I've lost a lot of people." As baby boomers age, more and more folks will reach their 80s, 90s — and beyond. They will not only lose friends but face the daunting task of making new friends at an advanced age. Friendship in old age plays a critical role in health and well-being, according to recent findings from the Stanford Center on Longevity's Sightlines Project. Socially isolated individuals face health risks

comparable to those of smokers, and their mortality risk is twice that of obese individuals, the study notes. (Horovitz, 7/9)

The New York Times: Health Insurers Warn Of Market Turmoil As Trump Suspends Billions In Payments

The Trump administration said Saturday that it was suspending a program that pays billions of dollars to insurers to stabilize health insurance markets under the Affordable Care Act, a freeze that could increase uncertainty in the markets and drive up premiums this fall. Many insurers that enroll large numbers of unhealthy people depend on the "risk adjustment" payments, which are intended to reduce the incentives for insurers to seek out healthy consumers and shun those with chronic illnesses and other pre-existing conditions. (Pear, 7/7)

The Associated Press: Trump Administration Takes Another Swipe At 'Obamacare'

In a weekend announcement, the Centers for Medicare and Medicaid Services said the administration is acting because of conflicting court ruling in lawsuits filed by some smaller insurers who question whether they are being fairly treated under the program. The so-called "risk adjustment" program takes payments from insurers with healthier customers and redistributes that money to companies with sicker enrollees. Payments for 2017 are \$10.4 billion. No taxpayer subsidies are involved. (7/8)

The Wall Street Journal: Trump? 9s Latest Affordable Care Act Move Adds To Insurers' Uncertainty

CMS officials didn't specify how long the suspension would last or what would trigger a resumption of payments in the program. CMS officials said they are looking for a quick resolution to the legal issues raised. "We're now in the midst of the 2019 rate-filing process and it's not clear how the risk-adjustment program will be operating," said Cori Uccello, senior health fellow at the American Academy of Actuaries. (7/8)

Reuters: Insurers Warn Of Rising Premiums After Trump Axes Obamacare Payments Again

America's Health Insurance Plans (AHIP), a trade group representing insurers offering plans via employers, through government programs and in the individual marketplace, said the CMS suspension would create a "new market disruption" at a "critical time" when insurers are setting premiums for next year. "It will create more market uncertainty and increase premiums for many health plans - putting a heavier burden on small businesses and consumers, and reducing coverage options. And costs for taxpayers will rise as the federal government spends more on premium subsidies," AHIP said in a statement. (7/8)

Politico: Trump Administration Freezes Billions In Obamacare Payments, Outraging Advocates

Blue Cross Blue Shield Association President and CEO Scott Serota said the administration has the legal justification needed to move forward with the payments regardless of the New Mexico ruling. "This action will significantly increase 2019 premiums for millions of individuals and small business owners and could result in far fewer health plan choices," Serota said in a statement. "It will undermine Americans' access to affordable coverage, particularly those who need medical care the most."
(7/8)

The Washington Post: Trump Administration Takes Another Major Swipe At The Affordable Care Act

Risk adjustment is one of three methods built into the 2010 health-care law to help insulate insurance companies from the ACA requirement that they accept all customers for the first time — healthy and sick — without charging more to those who need substantial care. The other two methods were temporary, but risk adjustment is permanent. Federal health officials are required each year to calculate which insurers with relatively low-cost consumers must chip in to a fund, and which ones with more expensive customers are owed money. This idea of pooling risk has had significant practical effects: encouraging insurers to participate in the insurance marketplaces the ACA created for Americans who cannot get affordable health benefits through a job.
(Goldstein, 7/7)

The New York Times: 'It's A Terrible Vote': Red-State Democrats Face An Agonizing Supreme Court Choice

Democratic senators running for re-election in Trump Country face an agonizing choice over President Trump's coming Supreme Court nominee: Vote to confirm the pick and risk demoralizing Democratic voters ahead of the midterm elections, or stick with the party and possibly sacrifice their own seats — and any chance at a Democratic majority in 2019. The actions of a handful of Senate Democrats struggling to hold their seats in red states where Mr. Trump remains popular — notably Heidi Heitkamp of North Dakota, Joe Donnelly of Indiana and Joe Manchin III of West Virginia — will have broad implications for the party at a critical political juncture. (Hulse, 7/7)

Politico: 'The Super Bowl Of Politics': Trump's Team Readies For Supreme Court Battle

In a sparsely decorated "war room" next to the West Wing on the White House grounds, Trump administration officials have been preparing for the president's Supreme Court pick with an anything-can-happen approach to the historic task. With the knowledge that President Donald Trump could change his mind at the last minute — and with the president's obsession to keep his final decision tightly held — Trump

aides and Republicans familiar with the planning told POLITICO they initially were prepping for two possible nominees. (Cadelago, 7/8)

The Associated Press: What To Expect In The Supreme Court Confirmation Battle

The coming battle over a Supreme Court nominee promises to be a bruising one. Republicans are eager for conservatives to gain a firm majority on the court. Democrats are voicing alarm about what the new justice could mean for charged issues such as abortion rights and gay rights. The stakes are enormous, and advocacy groups that don't have to unveil their donors are spending heavily to shape the fight. (7/9)

The Hill: Dem Senator Promises 'Tough Questions' On Reproductive Rights For Trump Supreme Court Pick

Sen. Richard Blumenthal (D-Conn.) said Sunday that he will ask President Trump's Supreme Court nominee "really tough questions" on reproductive rights. Blumenthal told New York AM 970 radio host John Catsimatidis in an interview broadcast Sunday that he has "deep and serious concerns" about Trump's top picks for the court. (Thomsen, 7/8)

The New York Times: Trump 'Very Close' To Supreme Court Decision, But May Wait Till Final Hours

President Trump sought to mine a last bit of drama from his decision on a Supreme Court nominee on Sunday, saying he might need to extend the process well into Monday, just hours before he is scheduled to announce the pick in a prime-time address. "I'm very close to making a decision," Mr. Trump said on Sunday afternoon as he boarded Air Force One to return to Washington after a weekend spent golfing at his private club in Bedminster, N.J., and soliciting opinions from dozens of people about what he should do. (Haberman, Liptak and Schmidt, 7/8)

The New York Times: In Making His Second Supreme Court Pick, Trump Has A Model: His First

All four of President Trump's candidates for the Supreme Court are white, middle-aged federal appeals court judges with reliably conservative legal records. One of them, Brett M. Kavanaugh, went to the same high school as Mr. Trump's last nominee, Neil M. Gorsuch — Georgetown Preparatory School, outside Washington. Another, Raymond M. Kethledge of the Sixth Circuit, so resembles Justice Gorsuch in background, philosophy, hobbies — both are outdoorsmen who like fishing — and even physical appearance, that some conservatives have taken to calling him "Gorsuch 2.0." (Landler and Haberman, 7/6)

The Wall Street Journal: Trump Takes A Final Look At Supreme Court Choices
Judge Kavanaugh had been a front-runner as late as Saturday, but the fact that Mr. Trump hadn't settled on him suggested his front-runner status may have slipped by Sunday, several people familiar with the search said. (Nicholas and Radnofsky, 7/8)

Politico: Teenage Immigrant Abortion Case Could Be Hurdle For Kavanaugh's Supreme Court Bid

One of the leading contenders for the Supreme Court, D.C. Circuit Judge Brett Kavanaugh, could see his chance at the nomination hinge on his handling of a legal battle last year over a 17-year-old immigrant's request for an abortion. To Kavanaugh's backers, his role in the legal showdown that played out over a couple of weeks last October exhibits the kind of judicial restraint conservatives have long called for from members of the bench. (Gerstein, 7/6)

The Washington Post: Religious Liberty Becomes A Main Focus For Conservatives In Supreme Court Nomination

Raymond Kethledge, one of President Trump's finalists for the U.S. Supreme Court, has never explicitly stated his views on abortion or same-sex marriage. But he has spoken loudly on an issue that is just as important to conservative court-watchers. In April, Kethledge ruled in favor of Cathedral Buffet, a church-run Ohio restaurant being sued by the government because of claims that congregants were "spiritually coerced" by their pastor to work without pay. Kethledge went further than his fellow judges on the U.S. Court of Appeals for the 6th Circuit in arguing that the restaurant's Christian affiliation shielded it from federal labor laws. (Goldstein, 7/7)

The New York Times: McConnell Tries To Nudge Trump Toward Two Supreme Court Options

Senator Mitch McConnell, the Republican leader, told President Trump this past week that Judges Raymond M. Kethledge and Thomas M. Hardiman presented the fewest obvious obstacles to being confirmed to replace Justice Anthony M. Kennedy on the Supreme Court, according to Republican officials briefed on the conversation. While careful not to directly make the case for any would-be justice, Mr. McConnell made clear in multiple phone calls with Mr. Trump and the White House counsel, Donald F. McGahn II, that the lengthy paper trail of another top contender, Judge Brett M. Kavanaugh, would pose difficulties for his confirmation. (Haberman and Martin, 7/7)

Politico: Graham: Supreme Court Candidates 'Are All Winners' 0

The four judges believed to be in the running to be President Donald Trump's next nominee to the Supreme Court "are all winners," Sen. Lindsey Graham said Sunday, and will present a "nightmare" decision for red-state Democrats in the Senate.

"Republicans are holding four lottery tickets and all of them are winners," the South Carolina Republican, a member of the Senate Judiciary Committee, told "Fox News Sunday." "If you're a conservative Republican, the four people named — particularly Thomas Hardiman, I'm glad he's on the list — are all winners and every Republicans should embrace these picks." (Nelson, 7/8)

The Wall Street Journal: Who Are The Supreme Court Contenders?

As the clock ticks on President Donald Trump's choice for a Supreme Court vacancy, each of the four people under close consideration could move the court in a more conservative direction for decades. "Republicans are holding four lottery tickets, and all of them are winners," Sen. Lindsey Graham (R., S.C.) said Sunday in a Fox News interview. Here's a look at the top contenders. (Kendall and Bravin, 7/8)

The Associated Press: Kids As Young As 1 In US Court, Awaiting Reunion With Family

The 1-year-old boy in a green button-up shirt drank milk from a bottle, played with a small purple ball that lit up when it hit the ground and occasionally asked for "agua." Then it was the child's turn for his court appearance before a Phoenix immigration judge, who could hardly contain his unease with the situation during the portion of the hearing where he asks immigrant defendants whether they understand the proceedings. "I'm embarrassed to ask it, because I don't know who you would explain it to, unless you think that a 1-year-old could learn immigration law," Judge John W. Richardson told the lawyer representing the 1-year-old boy. (Galvan, 7/8)

The New York Times: U.S. Opposition To Breast-Feeding Resolution Stuns World Health Officials

A resolution to encourage breast-feeding was expected to be approved quickly and easily by the hundreds of government delegates who gathered this spring in Geneva for the United Nations-affiliated World Health Assembly. Based on decades of research, the resolution says that mother's milk is healthiest for children and countries should strive to limit the inaccurate or misleading marketing of breast milk substitutes. (Jacobs, 7/8)

The Wall Street Journal: When Three Brothers With A Blood Disorder Lost Their Jobs, The EEOC Sued

Five years ago, Anthony, Drew and Raymond West were called into their supervisor's office and let go from their jobs performing heavy-duty maintenance work at an oil refinery in Beaumont, Texas. "We kind of knew it was gonna happen, but then again we were all shocked," said Raymond West, age 26, the youngest of the brothers. The Wests were employed for a contract-worker firm, Signature Industrial Services LLC, and were contracted to do work for Exxon Mobil Corp. Their Signature supervisor had

been instructed to let them go because of their medical condition, hemophilia A, according to a lawsuit filed in February by the Equal Employment Opportunity Commission that charged Signature with violating the Americans with Disabilities Act. (Weber, 7/9)

The Wall Street Journal: Drugmakers Call Experimental Alzheimer's Drug Study Positive

An experimental Alzheimer's drug showed positive results and raised hopes anew that pharmaceutical companies were moving closer to a medicine that could finally disrupt the disease's memory-robbing course, though a string of failures shadow the efforts. Alzheimer's has proved an especially tough drug target. Approved therapies only relieve symptoms temporarily, and one experimental treatment after another promising to stymie the neurodegeneration has ultimately failed to work. Some pharmaceutical companies, after costly failures, pulled out. (Hernandez and Loftus, 7/6)

Stat: 4 Burning Questions After Biogen's \$12 Billion Alzheimer's Surprise

Biogen (BIIB) is worth \$12 billion more on Friday than it was the night before thanks to some surprising, if nebulous, new data on an in-development treatment for Alzheimer's disease. The news is undoubtedly positive, but just how positive is a question that has all of biotech puzzling. Here are the biggest questions about BAN2401, Biogen's Eisai-partnered Alzheimer's drug that is either the saving grace for a whole wing of neurology or a red herring of tortured data. (Garde, 7/6)

Stat: 5 Challenges Atul Gawande Will Face In A Risky New Health CEO Role

Dr. Atul Gawande will step out of health care's limelight on Monday to put himself under its microscope. Taking the helm of the new health venture funded by Amazon, JPMorgan Chase, and Berkshire Hathaway is the riskiest move of his career — one that will subject his acclaimed New Yorker narratives to a real-world stress test whose outcome is far from certain. In the balance will hang not just his reputation as a physician and writer, but perhaps the highest-profile effort to date to leverage the private sector to fix America's fragmented and dysfunctional health care system. Gawande has made a name for himself by proposing novel solutions to the system's many shortcomings — from surgical checklists to rooting out unnecessary care — and testing them in specific hospitals or markets around the world. (Ross, 7/9)

NPR: 133,000 Nebraskans Sign Petitions To Put Medicaid Expansion On The Ballot

Voters in Nebraska may get to decide whether their state expands Medicaid this November. Supporters of Nebraska's Medicaid expansion campaign, Insure the Good

Life, turned in petitions bearing more than 133,000 signatures to the secretary of state Thursday. If 85,000 are validated, the issue will appear on ballots this fall. (Knapp, 7/6)

The Associated Press: Advocates: Dental Care Denied Wrongly After Medicaid Cuts

Some children and pregnant women in Kentucky have wrongly been denied access to dental care since the state abruptly cut dental and vision coverage for as many as 460,000 people, public health advocates say. The cuts came after Gov. Matt Bevin's plan to overhaul the state's Medicaid program was blocked by a federal judge. (7/6)

The Associated Press: GOP Governor Cuts Health Care To Take Anti-Abortion Stand

South Carolina Gov. Henry McMaster removed \$16 million for health care from the state budget, saying Friday he wanted to make sure no taxpayer money goes to abortion providers. The Republican governor said he was keeping a promise he made repeatedly as he campaigns for a full term, disagreeing with Democrats and some Republicans who said Planned Parenthood gets less than \$100,000 of the money and all of it goes for family planning and not abortion. (7/6)

The Associated Press: Indiana Sees Increase In Abortions For First Time Since 2009

The number of abortions performed in Indiana increased last year for the first time since 2009, a state report shows. Nearly 7,800 women opted to terminate pregnancies in Indiana in 2017, almost 500 more than the previous year, according to an annual report released June 30 by the Indiana State Department of Health. The report looks at abortion trends over a five-year period. (7/6)

NPR: Greater Opioid Use Linked To Higher Chance Of Arrests, Criminal Convictions

People addicted to prescription opioids or heroin are far more likely to have run-ins with the law than those who don't use opioids, according to a study published Friday in JAMA Network Open. The study provides the first nationwide estimate for the number of people using opioids who end up in the American criminal justice system. The results suggest a need to engage law enforcement officials and corrections systems to tackle the opioid epidemic. (Chatterjee, 7/6)

Stat: A Case Study In The Fast-Rising Threat Of Antibiotic Resistance

In the good old days — way back in early 2012 — people who contracted gonorrhea were given a single pill to cure the infection. A newly published paper shows that a time is fast approaching when a far more onerous course of medical care may be required to get rid of a bacterium that seems hell-bent on becoming untreatable. Neisseria

gonorrhoeae, the bug that causes gonorrhea, has relentlessly vanquished every antibiotic medical practice has used against it. The current recommended cure — an injection of a drug called ceftriaxone, given in combination with a second antibiotic, azithromycin — is the last good option to treat this infection, and there are already signs that its days may be numbered. (Branswell, 7/6)

The Washington Post: Do 'Social' Egg Freezers Use Their Eggs? Here Are New Numbers From A Large Fertility Center.

Social egg freezing is a big topic of conversation in our office these days. My colleague Nicole Ellis has launched a video docuseries about her journey to figure out whether she should use the technology to save eggs that she could potentially use to fertilize later, when she feels the time is right. ("Social" differentiates this reason for egg storage from, say, freezing eggs before cancer treatment or for other medical reasons.) A number of other 20- and 30-something reporters, editors, producers and others are thinking about the procedure, too. (Cha, 7/6)

The Washington Post: Relationships Protect Your Health, Even Casual Ones

Close relationships with family and friends, we know, are important for our health and well-being. But what about the people who make up our broader social networks: the parents at school drop-off, the neighbor down the street or that colleague in another department who always makes you laugh? While research on the benefits of social connections has generally focused on the importance of "strong ties," or the intimate relationships we have with family and close friends, a growing body of research is shedding light on the hidden benefits of casual acquaintances, too. Surprisingly, these "weak ties" (that funny colleague, for example) can serve important functions such as boosting physical and psychological health and buffering against stress and loneliness, researchers have found. (Wallace, 7/7)

The Washington Post: Nutrition And Diet Advice Often Are Small Part Of Medical Education

When Americans hear about a health craze, they may turn to their physician for advice: Will that superfood really boost brain function? Is that supplement okay for me to take? Or they may be interested in food choices because of obesity, malnutrition or the role of diet in chronic disease. But a doctor may not be a reliable source. Experts say that while most physicians may recognize that diet is influential in health, they don't learn enough about nutrition in medical school or the training programs that follow. (Cernansky, 7/8)

The Washington Post: Aphasia Makes You Lose Your Words After Brain Damage

What if you wanted to speak but couldn't string together recognizable words? What if someone spoke to you but you couldn't understand what they were saying? These

situations aren't hypothetical for the more than 1 million Americans with aphasia, which affects the ability to understand and speak with others. Aphasia occurs in people who have had strokes, traumatic brain injuries or other brain damage. Some victims have a scrambled vocabulary or are unable to express themselves; others find it hard to make sense of the words they read or hear. (Blakemore, 7/7)

The Washington Post: When Searching For Happiness, Try Eating Popcorn With Chopsticks

It happens fast: You crack open a bottle of your favorite drink and put it to your lips. The delicious flavor is nearly overwhelming. But a minute later, you're barely noticing the taste as you drink it. Or you buy a new car and think it will make you smile every time you drive it for years. But a month later, that sensation is gone. Now it's just a car. (Smith and O'Brien, 7/7)

NPR: Essential Tremor Treatment Uses Focused Ultrasound

Alan Dambach was in his late 50s when he noticed how unsteady his hands had become. Over the next decade, his tremor got so bad he had difficulty eating with a spoon or fixing equipment at his family's tree farm in western Pennsylvania. "I couldn't get nuts and bolts to work," he says. (Hamilton, 7/9)

The Washington Post: Retirement Communities Turn Their Sights On A Once-Invisible Group: LGBT Seniors

In 2016, as Kenneth MacLean was about to turn 90 and was looking to move to a retirement community, he had a question for Asbury Methodist Village in Gaithersburg, Md. "I asked, 'Would there be many gays here? Would gays be welcomed?' " MacLean, a retired Unitarian minister, wanted to be sure his partner of 22 years, a man who lives in England and spends several months a year visiting him, would be welcomed by staff and other residents. (Bahrapour, 7/8)

NPR: To Repel Ticks, Try Spraying Your Clothes With A Pesticide Called Permethrin

There's new evidence to support a decades-old strategy for preventing the tick bites that lead to all sorts of nasty diseases, including Lyme disease and Rocky Mountain spotted fever. The remedy involves spraying your clothing with permethrin — a pesticide that's chemically similar to extracts of the flowering chrysanthemum plant. (Aubrey, 7/9)

The Washington Post: Kalea And Noah Avery: Brother And Sister Were Diagnosed With The Same Brain Tumor Less Than Two Weeks Apart

Just weeks after their 6-year-old daughter started complaining about severe headaches, after numerous doctors' appointments and desperate trips to the

emergency room — and after doctors discovered a brain tumor and took it out — it was happening all over again. Duncan and Nohea Avery had been tending to their daughter, Kalea, who was recovering last month from surgery to remove a medulloblastoma when they learned their 4-year-old son had one, too. (Bever, 7/7)

The Associated Press: AP Exclusive: Washington Psychiatric Hospital Called 'Hell'

Behind tall brick walls and secure windows, hundreds of patients at Washington state's largest psychiatric hospital live in conditions that fail U.S. health and safety standards, while overworked nurses and psychiatrists say they are navigating a system that punishes employees who speak out despite critical staffing shortages. "They don't have enough staff to protect patients, or provide them with the bare minimum of care," said Lisa Bowser, whose mother spent two years at Western State Hospital and suffered dozens of falls and assaults. (7/6)

The Associated Press: Sanders: Nurses' Contract Negotiation Is About Priorities

U.S. Sen. Bernie Sanders threw his support behind University of Vermont Medical Center nurses ahead of union negotiations Friday, saying hospital administrators need to increase wages and avert a scheduled strike. Sanders railed against the "exorbitant" salaries paid to hospital administrators, including over \$2 million paid to hospital network's CEO John Brumsted. (7/6)

The Associated Press: Family Of Ohio State Doctor Says It's Cooperating In Probe

The family of a former Ohio State University team doctor accused by athletes of sexual misconduct says it is "shocked and saddened" by the allegations and is cooperating with the school's independent investigation. The Columbus Dispatch in a story published online Saturday said the statement was emailed by Scott Strauss. He's the son of the late Dr. Richard Strauss, who killed himself in 2005 at age 67. The statement said Strauss' family learned from news reports about the allegations that athletes were fondled by Strauss during medical examinations. The allegations date back to the 1970s. (7/7)

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From: Lenzo, Mike
Sent: Tuesday, April 26, 2016 10:08 AM
To: Lenzo, Mike
Subject: JLEC Memo on Political Conventions
Attachments: 2016 JLEC Memo on Political Conventions.pdf

Importance: High

To All House Republican Members and Staff:

Attached you will find the 2016 JLEC memorandum on attending a political convention. With the Republican National Convention being located in Cleveland in July, there will likely be many members and staff who decide to attend the convention in various capacities, as well as many different receptions and other events associated with the convention. The attached JLEC memo will help explain the ethics implications of many of the situations that may arise during the convention.

The most important detail to remember regarding the Republican National Convention is that it is a **campaign event**. The exemption that applies to the meetings of national conferences that the General Assembly pays dues to (such as NCSL, ALEC, CSG, etc) **does not apply to the Republican National Convention.**

There will be many different situations that arise regarding the convention. Please contact me if you have any questions.

Michael Lenzo
Majority Legal Counsel
House Republican Caucus
Ohio House of Representatives
614-466-3716

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THE 131ST OHIO GENERAL ASSEMBLY

JOINT LEGISLATIVE ETHICS COMMITTEE

OFFICE OF THE LEGISLATIVE INSPECTOR GENERAL

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MEMORANDUM

To: Senate and House Caucus Counsel

From: Office of the Legislative Inspector General

Date: April 26, 2016

RE: *Attendance at National Political Party Nominating Conventions*

Members of the General Assembly and legislative staff may be in attendance at the presidential nominating convention ("political convention") for their respective political parties later this summer. In addition to the actual convention, many events will be held in the host cities (RNC - Cleveland and DNC - Philadelphia) at the same time. These events are likely to be hosted by a variety of different organizations. The purpose of this memo is to review the limitations on what may be accepted and the reporting requirements for Members and legislative staff in attendance.¹ This information is applicable to those in attendance whether as Delegates or as general attendees.

I. Financial Disclosure Requirements – Meals and Beverages:

Members and legislative employees² must identify the source of all **official** meals and beverages where the value exceeds \$100, aggregated per calendar year in *Section 10: Meals, Food and Beverages* on their financial disclosure statement. Only meals *incurred in connection* with the person's official duties must be reported on the financial disclosure statement. In order for a meal to be *incurred in connection* with the person's official duties, it is necessary that the functions are related to, or associated with, the individual's position as a public official or employee. Attendance at a political convention is not related to, or associated with, a person's official duties with the General Assembly. Therefore, meals and other food and beverages

¹ Although questions have been raised in the media as to the applicability of R.C. 2921.02 or 3599.01 "Bribery" in the context of national conventions, JLEC's jurisdiction and enforcement authority does not include R.C. 2921.02 or 3599.01 "Bribery". This memorandum addresses expenditure limits applicable in the absence of bribery.

² For financial disclosure reporting purposes, legislative employees are those employees of the General Assembly or any legislative agency that file a financial disclosure statement.

Committee					
Keith Faber <i>Senate President, Chair</i>	Joe Schiavoni <i>Senate Min. Leader</i>	Capri Cafaro <i>Senator</i>	Loa Gentile <i>Senator</i>	Larry Obhof <i>Senator</i>	Scott Oelslager <i>Senator</i>
Cliff Rosenberger <i>Speaker, Vice Chair</i>	Fred Struhorn <i>House Min. Leader</i>	Ron Amstutz <i>Representative</i>	Kevin Boyce <i>Representative</i>	Nicholas Celebrezze <i>Representative</i>	Dorothy Pelanda <i>Representative</i>
Staff Tony Blodsoe Executive Director					

provided to a Member or legislative employee at a political convention are not incurred in connection with their official duties and do not count toward the \$100 threshold.³

II. Financial Disclosure Requirements – Meals and Beverages from Lobbying

Sources:

Meals and beverages provided to a Member or legislative employee directly from an Ohio legislative agent or the employer of an Ohio legislative agent, will be reported by the legislative agent or employer regardless of whether the meals and beverages were related to official duties. Meals and beverages provided by a legislative agent to a Member of the General Assembly or legislative staff while attending a political convention count towards the \$75 annual limit. The **“national conference exception,”** often referenced when discussing Ohio’s ethics and lobbying laws, **does not** apply to political party nominating conventions.

Members and all legislative staff are reminded that they are prohibited from accepting more than \$75, aggregated per calendar year, in meals and beverages from a legislative agent.⁴ This limit does not apply to meals and beverages from the employer of a legislative agent.⁵ A Member’s or legislative employee’s name will be included in a legislative agent’s Activity and Expenditure Report, if he or she accepts more than \$50 in meals and beverages from the legislative agent in a calendar year.⁶ Meals and Beverages received from the employer of a legislative agent are reportable from \$0.01. A Member or legislative employee whose name appears on a lobbying expenditure report will include this information on his or her financial disclosure statement, under *Section 11: Non-disputed Information*.

Please note: Meals and beverages provided at an All-Invited Event do not count towards the \$75 annual limit or trigger the reporting of a recipient’s name on a lobbying report. An All-Invited Event is a dinner, party, or reception to which all Members of the General Assembly, or all Members of either chamber of the General Assembly, are invited to attend. An event need not be exclusive to General Assembly Members to be considered an All-Invited Event.⁷

III. Financial Disclosure Requirements – Gifts:

Members and legislative employees must identify the source of a gift where the value of the gift or gifts, aggregated per calendar year exceeds \$75 (or if received from a legislative agent, \$25) in *Section 9: Gifts* on their financial disclosure statement.⁸ Members and all legislative

³ Generally, receptions are considered to fall under the meal section where the main purpose of the event is for social gathering and not entertainment, even assuming there is some type of background entertainment. However, where the main purpose is entertainment (i.e., a well-known band is hired to perform a concert), that would be considered a gift.

⁴ R.C. 102.031(C)(2); § 5(B)(2) Legislative Code of Ethics.

⁵ To determine whether an expenditure is attributable to a legislative agent or an employer, the Ohio Legislative Inspector General (OLIG) uses a “point of sale” test. From the perspective of the recipient, the OLIG asks: “at the time of the expenditure, who would the recipient say paid for or provided the expenditure?” See Ohio Lobbying Handbook, at 46.

⁶ Legislative Agents may spend up to \$50.00 aggregated per calendar year per reportable person without itemizing the expenditure. See Ohio Lobbying Handbook, at 41.

⁷ R.C. 101.73(D).

⁸ R.C. 102.02(A)(2)(g). Generally, a gift provided to a spouse is for the use or benefit of the Member or employee (i.e., spouse is receiving the gift because he or she is the spouse of the Member or employee).

staff are reminded of the prohibition on accepting more than \$75, aggregated per calendar year, in gifts from a legislative agent.⁹ A legislative agent or employer of a legislative agent who provides a gift valued at more than \$25, must report the Member or legislative employee as the recipient of a gift on their corresponding Activity and Expenditure Report.¹⁰ In turn, a Member or legislative employee whose name appears on a lobbying expenditure report will include this information on his or her financial disclosure statement, under *Section 11: Non-disputed Information*.

A. Charitable Fundraisers -- Tickets:

A non-political fundraiser is one held by a non-profit charitable organization. A ticket to a non-political fundraiser where the source of the ticket is the entity hosting the event is not a gift for lobbying or financial disclosure reporting purposes.¹¹ However, Members and legislative staff are reminded that a complimentary ticket to a non-political fundraiser where the source of the ticket is a third party is a gift.¹² Where the source of the complimentary ticket is a third party, the value of the ticket is the portion of the ticket price that is not a tax-deductible charitable donation.¹³

B. Political Fundraisers -- Tickets:

Regarding the acceptance and reporting of tickets to political fundraisers, Members and legislative employees are reminded that a ticket to a political fundraiser given to a Member or legislative staff by a person other than the candidate or committee on whose behalf the fundraiser is being held is a gift.¹⁴ The value of which, is the actual face value of admission.¹⁵ However, complimentary attendance at a political fundraising event is not considered a gift if the source of the complimentary admission is the candidate/committee hosting the event.¹⁶

C. Reporting of Social Events Held by the Political Parties During the Political Conventions:

During the political conventions, the national (RNC/DNC), state (Ohio Republican Party/Ohio Democratic Party), and/or local political parties will also likely hold non-fundraising social events as part of the political conventions. The costs incurred for the social events may be offset by financial support provided to the national, state, or local political parties from third parties, including those who are registered lobbyists or the employers of registered lobbyists. Where the Member or legislative employee is invited by a national, state, or local political party to attend the event hosted by the party, the source of the gift for financial disclosure statement reporting purposes is the party organization hosting/inviting the Member

Therefore, the amount of the gift must be added to the amount, if any, of the gift received by the Member or employee.

⁹ R.C. 102.031(C)(3); § 5(C) Legislative Code of Ethics.

¹⁰ Admin. Code 101-9-01(D)(2).

¹¹ 2000 JLEC Advisory Op. 2000-002; See R.C. 102.02(A)(2)(g).

¹² 2014 JLEC Advisory Op. 2014-003; See R.C. 102.02(A)(2)(g).

¹³ 2014 JLEC Advisory Op. 2014-003.

¹⁴ *Id.*

¹⁵ 2000 JLEC Advisory Op. 2000-002.

¹⁶ *Id.*

or legislative reportable person. Mere financial support provided by sponsors to the national, state, or local political parties does not trigger financial disclosure or lobbying reporting by those sponsors.

IV. Prohibition – Travel:

Members and legislative staff are prohibited from accepting travel expenses¹⁷ from a legislative agent **except actual travel expenses related to official duties**, which Members and legislative employees must identify under *Section 8: Travel* on their financial disclosure statement.¹⁸ Travel payments or reimbursements made to a Member or legislative employee for attendance at a presidential national convention **are not incurred in connection with their official duties**. As such, except for each car trip under 50 miles one way, Members and legislative staff are prohibited from accepting actual transportation/lodging expenses from a legislative agent for any travel related to attendance at a political convention.¹⁹

Please note that travel expenses paid for or reimbursed **by a campaign committee** are not considered gifts for financial disclosure purposes. These reimbursements will be reported in campaign finance reports, thus serving the public interest of full and fair disclosure. Reasonable, ordinary, necessary and verifiable expenses for a candidate/officeholder and spouse to attend a party's national convention are considered to be legitimate campaign fund expenditures.²⁰

¹⁷ For ethics purposes, travel is defined as lodging and any transportation by airplane, train, or common carrier regardless of the distance and any transportation by automobile, for each trip which exceeds 50 miles per trip, one way. Lodging encompasses the following: (1) A stay of one or more nights in a commercial establishment or (2) A stay of one or more nights in a noncommercial private dwelling. As to noncommercial private dwellings, this includes residences owned in whole or in part by a legislative agent. See 1997 JLEC Advisory Op. 97-006.

¹⁸ R.C. 102.031(C)(1); R.C. 102.03(H); § 5(B)(1) Legislative Code of Ethics.

¹⁹ If a Member or legislative employee accepts travel from a non-prohibited source, he or she will report the entity as the source of a gift.

²⁰ Ohio Elections Commission Advisory Opinion 96ELC-09, available at <http://elc.ohio.gov/AdvisoryOpinion/96ELC-09.pdf>.

From: Gongwer News Service
Sent: Monday, August 1, 2016 2:39 PM
To: Alexander, Steven
Subject: Ohio Report, Monday, August 1, 2016
Attachments: Aug1.htm; Aug1House.htm; Aug1Senate.htm;
160801dayplan.htm



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Ohio Report for Monday, August 1, 2016

Following JCARR Discussion, Dietitians, ODA To Continue Talks On Senior Food Programs

State Still Seeking Lethal Drugs With Next Execution Set For January; Lawmakers Look To Alternatives

Trump, Clinton At Odds During Columbus Campaign Stops

GOP Lawmakers Tout Model Suicide Prevention Legislation, Contemplate Charter School Industry Structures At ALEC Event

Husted Urging Changes In Special Election Laws

LPO Plans Appeal After Latest Setback In Ballot Access Case

Ethics Commission: Former Columbus Council Members Should Pay For Attendance At 2014 Game

Education Notes: ODE Seeking Career-Focused Education Grant; Chancellor Carey Plans UA Visit; OSU Police Department Recognized

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Volume #85, Report #147 -- Monday, August 1, 2016

Following JCARR Discussion, Dietitians, ODA To Continue Talks On Senior Food Programs

Dietitians argued Monday that current and pending administrative rules could impair nutrient adequacy and lack adequate food safety guidelines for senior citizens.

Representatives of the Ohio Academy of Nutrition and Dietetics told the Joint Committee on Agency Rule and Review their concerns have not been completely addressed by rule changes put forth by the Department of Aging. (Agenda)

At the same time, they thanked the department for taking their feedback into account, even if all their proposed changes were not adopted during the rulemaking process.

"We're not going to let this go," OAND State Policy Representative Pat McKnight said. "We'll meet with the department and go over these (issues) but we just wanted to make you all aware this issue is not solved."

In the end, JCARR members did not act on the rule, which allows it to proceed toward implementation.

Following a "productive" meeting with the department last week, interested parties are next scheduled to meet in six months to continue the discussion, Ms. McKnight said. But at the urging of Rep. Cheryl Grossman (R-Grove City), ODA Policy Development Manager Tom Simmons said the department would be agreeable to moving that meeting up to take place within two months.

The testimony came in response to a rule package including 19 proposed rules and 18 other rules to be rescinded pertaining to nutrition programs under the Older Americans Act. The rules would pertain to AAA providers, which include local area aging agencies.

Specifically, the groups are concerned with Rule 173-4-5 and Rule 173-4-5.2, which establish general requirements for nutrition projects and home-delivered meal projects respectively.

Part of the concern centers on the one-third federal dietary reference intake for meals, which requires a minimum of one-third of one's meals provided through OAA funding meet nutritional requirements. Ms. McKnight said the new rule along with existing federal law does not provide enough information to ensure the one-third requirement is met. She said it also prohibits the use of leader nutrients, which dietitians had formerly used as a workaround to meet those requirements.

"It's not that the dietitian wouldn't want to do it," she said of compliance. "There is no way he or she could do it because the data's simply not available."

Ms. McKnight also contended that the new rules include no standards for non-therapeutic menus - healthy diets not tailored to a specific patient. More providers, she said, are using such menus to cut down on their clients' intake of carbs or sodium. And she questioned the department's claim that it has no ability to develop or enforce food safety standards for such providers.

Mr. Simmons said the department lacks jurisdiction in modifying the federal OAA. But he said the department is committed to having an ongoing dialogue with stakeholders.

"The number one goal of our entire project is to remove the overbearing regulation within these rules and with that make it easier to do business," Mr. Simmons said.

OAND State Regulatory Specialist Kay Mavko said the group plans to continue to engage the department and lawmakers on these issues.

"We are committed to working on this," Ms. Mavko said. "We don't want to let it go. We realize the department is limited in what it has the authority to do and what the rulemaking process allows it to do, but we still have some concerns."

State Still Seeking Lethal Drugs With Next Execution Set For January; Lawmakers Look To Alternatives

Ohio's next scheduled execution is now less than six months away, yet the state hasn't been able to obtain at least one drug typically used in the lethal injection process since 2013.

The state is still trying to acquire drugs used to carry out executions, according to JoEllen Smith, a spokeswoman for the Department of Rehabilitation and Corrections.

"DRC continues to seek all legal means to obtain the drugs necessary to carry out court ordered executions," she said. "This process has included multiple options."

Without the drugs necessary, the state could be forced to again delay the execution of Ronald Phillips, who was convicted of the 1993 murder of a 3-year-old girl. He is one of 26 people scheduled to be executed by the state in the coming years.

Mr. Phillips has had several execution dates, the most recent of which was Jan. 21, 2016. He had a 2014 execution date that was delayed after the botched execution of Dennis McGuire, who gasped for air at times over a 25-minute process carried out for the first time in Ohio with a two-drug cocktail.

That concoction - a mixture of midazolam, a sedative, and hydromorphone, a narcotic painkiller - was used for the first time because in the fall of 2013 European

pharmaceutical companies blocked the sale of pentobarbital, which was previously used in the lethal injection process.

In the wake of Mr. McGuire's execution - which the state said caused no pain - a federal judge in May 2014 issued a moratorium on the death penalty in Ohio, which was later extended until Jan 15, 2015.

Shortly before the moratorium expired, the state announced that it would abandon the use of the two-drug mixture and instead use thiopental sodium, which was utilized in executions from 1999 to 2011.

However, in October, the state announced that it was again delaying all executions, with 2017 as the earliest date. (See Gongwer Ohio Report, October 20, 2015)

Gov. John Kasich also signed legislation (HB663, 130th General Assembly) in December 2014 to shield the identities of execution-drug makers.

Sen. Bill Coley (R-Liberty Twp.) laid blame for the state's inability to secure the drugs necessary to carry out an execution at the feet of the administration of President Barack Obama.

"The Obama administration chooses not to enforce marijuana laws, which then lead to states legalizing medical marijuana," he said. "Strangely enough they go beyond what they are authorized to do relative to execution drugs."

Nonetheless, he expressed hope that once a new administration takes office on Jan. 20, it will make it easier to secure drugs necessary to carry out executions.

Current state law allows for executions to be carried out only through lethal injection. However, one panel led by Sen. Coley is exploring alternate forms of execution.

The Joint Legislative Study Committee on Victims' Rights in March heard testimony from Matt Kanai, general counsel for the law enforcement division in the attorney general's office, on ways other states are dealing with the lack of lethal injection drugs. (See Gongwer Ohio Report, March 10, 2016)

Sen. Coley said he is intrigued by nitrogen hypoxia as a form of execution, which Oklahoma has recently added as an option to carry out the death penalty.

He said the death would be similar to that caused by a decompressed plane cabin and added he believes it would not be deemed cruel or unusual by the courts. However, he said he would prefer to let the issue work its way through the justice system, which could take two to four years, before moving forward with it as a form of execution in Ohio.

The abolishment of the death penalty, though, is not on the table for Sen. Coley.

"The one great thing about the death penalty is there is zero recidivism," he said. "There are truly evil people in this world and it's our duty to eradicate them from the face of the planet. The death penalty has been an effective tool to that end."

However, Abe Bonowitz, communications director of Ohioans to Stop Executions, said the state should follow the lead of others and abolish the death penalty.

"We have a system that is blatantly unfair and has all kinds of issues with it," he said.

"The trends with the death penalty are away from it across the country and in Ohio fewer counties are using it," he added.

As for Mr. Phillips' scheduled execution, Sen. Coley said he's been led to believe that it can still be carried out.

"From everything that I've heard from the director, right now they believe it can be," he said. "They still have time."

Trump, Clinton At Odds During Columbus Campaign Stops

Donald Trump began his Columbus appearance Monday by blasting a local fire marshal for turning away "thousands" of his supporters for political reasons.

Before taking the stage at the Greater Columbus Convention Center, Mr. Trump made a brief surprise appearance to media gathered outside the room, according to various reports.

There he claimed there were thousands of people outside until they were turned away "for political reasons" by the fire marshal. Several media reports placed the number closer to hundreds.

"So we have a thousand people in there," Mr. Trump said, according to video. "The fire marshal said he's not allowed to allow any more, even though the building holds many thousands of people, so I just want to tell you that."

The perceived slight was the first thing Mr. Trump mentioned upon taking the mic. From there, he segued into terrorism, the border, trade, and his desire to see a ballroom constructed at the White House.

His appearance came one day after Democratic nominee Hillary Clinton and her VP pick Sen. Tim Kaine appeared in Columbus, where Ms. Clinton labeled Mr. Trump "a serious threat to our democracy."

With the event billed as a town hall, Mr. Trump fielded three questions on topics including healthcare, regulation on small businesses, and the heroin epidemic.

He pinned Ohio's job loss on President Bill Clinton, saying that the state lost one in three manufacturing jobs since the signing of NAFTA, and accused Ms. Clinton of being beholden to large donors.

"We are going to turn this state into a manufacturing behemoth," he said. "We are going to bring your jobs back, we're going to bring your companies back."

Between his usual attacks on illegal immigrants and the media, he said he's raised \$35.8 million in the last month from more than 500,000 donors and added that if he'd had two more days to campaign for the primary he - and not Gov. John Kasich - would have won the Buckeye State, which he lost by 11 points. (See Gongwer Ohio Report, March 15, 2016)

Mr. Trump did not mention his criticism of a Muslim couple - Khizr and Ghazala Khan - which GOP leaders have rebuked in recent days. Ohio veterans, in a Monday morning conference call organized by the Clinton campaign, called upon Mr. Trump to apologize for those attacks.

The Khans criticized the businessman during a speech at the Democratic National Convention, while describing the death of their son, a U.S. Army captain killed in Iraq. Mr. Trump spent days afterward blasting the couple. (See Gongwer Ohio Report, July 29, 2016)

As attacks continue to volley between Mr. Trump and the Khans, Republican leaders - including House Speaker Paul Ryan and Senate Majority Leader Mitch McConnell - sought to distance themselves from Mr. Trump's remarks. GOP VP candidate Mike Pence, meanwhile, issued a statement saying he and Mr. Trump believe the Khans and their son "should be cherished by every American."

"Donald Trump does not understand the experience of our military families or our veterans," said former Democratic lawmaker and Air Force veteran Connie Pillich. "He tries to portray himself as strong and brash, but there is nothing strong or powerful about insulting the family of a fallen soldier."

Air Force Reserve member Rep. John Bocchieri (D-Alliance) said "words do matter... and Donald Trump just doesn't get it."

"It's very clear from his remarks about John McCain and now Capt. Khan that he doesn't understand the type of sacrifices the men and women in uniform make for our country," he said. "The suffering and pain and struggle that these families go through on a daily basis are just unspeakable and to make light of it, to now attack this family I think is very indicative of the type of presidency he will run."

Republicans have also steered clear of the remarks, with Gov. John Kasich tweeting in his most recent disagreement with Mr. Trump: "There's only one way to talk about Gold Star parents: With honor and respect. Capt. Khan is a hero. Together we should pray for his family."

Ms. Clinton has likewise criticized the businessman for those attacks. During her Columbus appearance, she told the crowd "it's going to be up to all of us to repudiate" such attacks.

Ms. Clinton's latest Columbus appearance marked the culmination of her three-day "Stronger Together" bus tour of Pennsylvania and Ohio. There Ms. Clinton questioned Mr. Trump's business acumen and outlined her plan to invest in jobs during her first 100 days in office.

She pushed for more support for small businesses and asked rhetorically what would have happened if her father, who made draperies, had fulfilled his contractual obligations only for someone like Mr. Trump to refuse to pay for the product.

"To person after person and business after business, Donald Trump said, 'I don't care,'" Ms. Clinton said. "It's not because he couldn't pay them. He wouldn't pay them. He drove businesses into bankruptcy in addition to taking bankruptcy himself six times. My friends, that's not how we do business in America.

"He makes dress shirts in China, not Brooklyn, New York," she continued. "He makes furniture in Turkey, not Cleveland, Ohio. He makes barware in Slovenia, not Jackson, Ohio. And he goes around saying he wants to put America first and American workers first."

The campaign continues seizing upon news from recent days that Mr. Trump recently applied for dozens of H-2B visas to fill staff positions at his Palm Beach Mar-a-Lago resort and his Jupiter, Fla., golf club with foreign workers.

"Shame on you, Donald Trump," Ms. Clinton said. "Let's cut through all the hype and rhetoric and understand that we're dealing with somebody who has a history of stiffing people, making things somewhere else besides America, and whenever possible, hiring foreign workers."

Bump: Ms. Clinton appears to have received a polling boost following the Democratic National Convention last week. A CBS News July 29-31 poll showed her leading Mr. Trump nationally 47-41%.

The pair were virtually tied in the same poll last week following the Republican National Convention. When including Libertarian candidate Gary Johnson, Ms. Clinton leads Mr. Trump 43-38%, followed by Mr. Johnson at 10%.

Mr. Trump had previously seen a post-RNC bump in some polls conducted last week. (See Gongwer Ohio Report, July 26, 2016)

Endorsement: The Ohio Right to Life PAC on Monday announced its endorsement of Mr. Trump and a handful of candidates for other offices.

"Our mission is to protect the sanctity of human life, and right now there is no ticket more threatening to that mission than that of Hillary Clinton and Tim Kaine," ORTL President Mike Gonidakis said. "Many times over, Mr. Trump has committed himself to appointing pro-life Supreme Court Justices, signing the Pain-Capable Unborn Child Protection Act, and protecting religious liberty."

Mr. Trump has faced questioned on his views on abortion. In 1999, he said he was "very pro-choice," although he said his opinion has since "evolved." Currently anti-abortion, he caught flack earlier this year, even from anti-abortion groups, for suggesting in an MSNBC interview "there has to be some form of punishment" for women who obtain an abortion. He later walked back that comment.

GOP Lawmakers Tout Model Suicide Prevention Legislation, Contemplate Charter School Industry Structures At ALEC Event

Legislation providing suicide prevention tools to colleges and universities that originated in the Ohio House is on course to be copied by other states.

Rep. Marlene Anielski (R-Walton Hills) last week attended the American Legislative Exchange Council's annual meeting to promote her resolution that the organization has approved as model legislation.

The controversial annual ALEC meeting typically draws conservative lawmakers to draft and consider bills that are oftentimes backed by the private sector.

Ohio lawmakers who attended the event include Senate President Keith Faber (R-Celina), Rep. Andy Brenner (R-Powell), Sen. Bill Coley (R-Liberty Twp.), Rep. Wes Retherford (R-Hamilton), Sen. Bob Peterson (R-Sabina), Rep. Ron Hood (R-Ashville), Sen. Bill Seitz (R-Cincinnati), Rep. Tom Brinkman (R-Cincinnati) and Rep. Lou Terhar (R-Cincinnati).

While some question the group's motives for including businesses in the bill-writing process, Rep. Anielski said the three-day meeting allows her to collaborate with lawmakers across the country to view issues differently.

ALEC was also beneficial in helping her promote legislation (HB 28) that was enacted last summer in Ohio, she said. It provides colleges and universities with free access to suicide prevention programs as well as related materials and tools that were already available to K-12 schools.

"I wanted to make sure that the resources were out there because there are some universities that have already met all the requirements because they're already doing this, but I wanted to bring up the people that needed help and I didn't want them to start from scratch so now they have options," Rep. Anielski said in an interview.

The bill also required institutions to take part in a five-part program that includes crisis intervention access, mental health program access, multimedia applications, a student communication plan and more.

The ALEC-approved version of the legislation is a resolution urging colleges to take part in the programs rather than requiring it, Rep. Anielski said.

"Basically it's almost like a committee process and you have to go and sell it and market it and basically convince your colleagues from around the nation that this is a good idea," she said of ALEC. "I presented it first as a bill in December and they asked me to come back and present it as a resolution because they didn't want schools to be mandated to do that."

West Virginia has already enacted legislation that mirrors Ohio's bill, while four other states have used portions of it, Rep. Anielski said. She's hoping those numbers go up now that the concept has ALEC backing.

She was joined in education-related sessions by Rep. Brenner, who said he spent a portion of the annual meeting involved in brainstorming on charter schools.

The discussions, which included presentations from school choice and charter school leaders from across the country, allowed participants to begin building a framework for those states that need to improve their sectors or are looking to establish one, he said in an interview.

Holding dropout recovery and prevention schools accountable in ways other than test scores that address the makeup of those schools was also a topic of conversation.

"Basically, the biggest thing I don't think (people) get about ALEC is it's not an evil thing. It just like a big interested party meeting," Rep. Brenner said of his experience, referring to criticism of the group.

"We're just discussing basic public policy and what would be good model legislation written basically by legislators and we're dealing with the same organizations back in our Statehouse," he added.

Center for Media and Democracy, the group behind a website called ALEC Exposed, doesn't buy that, though. It argues on its website that the ALEC meetings are where "global corporations and state politicians vote behind closed doors to try to rewrite state laws that govern your rights."

Rep. Brenner said he'd like to see the event televised to provide transparency and educate people about the issues lawmakers - whose meeting expenses are covered by the party - are addressing.

Held in Indianapolis, the event agenda included breakout sessions as well as a speakers list that featured Trump running mate Gov. Mike Pence.